

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22889 of 2016

Arising Out of PS.Case No. -198 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. Vikash Yadav S/O Upendra Yadav Resident of Village Gangapur P.S.
Sultanganj District Bhagalpur Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-07-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sultanganj
P.S. Case No. 198 of 2015 registered for the offences punishable
under Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, Ajay Sanyasi, the brother of the informant,
was shot dead and his two mobiles were also found traceless.
During investigation the petitioner and others were apprehended in
Sultanganj P.S. Case No. 231 of 2015 with firearms wherein
confessing his guilt he stated regarding his involvement in the
murder of Ajay Sanyasi.

Submission is of false implication and that in Sultanganj
P.S. Case No. 231 of 2015 the petitioner has already been allowed
bail vide Cr. Misc. No. 14973 of 2015 by another co-ordinate



Bench of this Court, besides confessional statement there is no legal and tangible material against the petitioner, except the statement of some of the witnesses that the petitioner used to demand ransom no one has seen the petitioner killing the deceased and besides suspicion and confessional statement there is nothing against the petitioner. Firearm recovered from the possession of the petitioner does not tally with the seizure list of this case as the empty cartridge seized was having another bore, the petitioner is in custody since 05.12.2015 and as such he deserves sympathetic consideration.

Learned APP submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Sultanganj P.S. Case No. 198 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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